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PATENT, TRADEMARK  
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To: Examiner D. Underwood  
 Group Art Unit 3652, USPTO

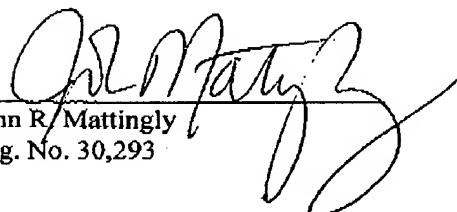
From: Mr. John R. Mattingly  
 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/550,729  
 Attorney Docket No.: H&C-122

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

**Transmittal; and  
 Amendment.**

  
 John R. Mattingly  
 Reg. No. 30,293

February 17, 2009  
 Date

Total Number of Pages (including cover sheet): \_\_\_\_\_

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Form PTO-1083

Patent

In RE application of T. NAKAJIMA et al

Case Docket No. H&amp;C-122

Serial No.: 10/550,729

Group Art Unit: 3652

For: AN OPERATING ARM FOR A CONSTRUCTION  
MACHINE AND METHOD OF FABRICATING THE SAME

Examiner: D.W. Underwood

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Small entity of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- No additional fee is required.

The fee has been calculated as shown below:

		(Col. 1)	(Col. 2)	(Col. 3)
		Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra
Total		Minus	**	=
Indep.		Minus	***	=
<input type="checkbox"/> First presentation of Multiple Dependent Claims				

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
Rate	Additional Fee		Rate	Additional Fee
X 25	\$		X 50	\$
X 100	\$		X 200	\$
X 180	\$		X 360	\$
Total	\$		Total	\$

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in col. 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 50-1417 in the amount of \$\_\_\_\_\_.

- A Credit Card Payment Form in the amount of \$\_\_\_\_ is attached for

- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayments to Deposit Account No. 50-1417.

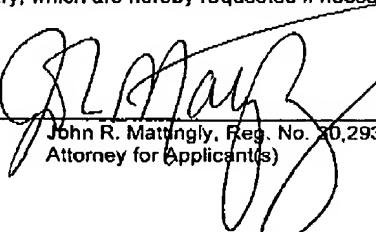
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

- Any patent application processing fees under 37 CFR 1.17.

- Any Extension of Time fees that are necessary, which are hereby requested if necessary.

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By:

  
 John R. Mattingly, Reg. No. 30,293  
 Attorney for Applicant(s)

Date: February 17, 2009

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T-444 P003/010 F-973

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H&C-122

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): NAKAJIMA, et al

Confirmation No. 8330

Serial No.: 10/550,729

Filed: September 26, 2005

For: AN OPERATING ARM FOR A CONSTRUCTION MACHINE AND  
METHOD OF FABRICATING

Group: 3652

Examiner: D. Underwood

**AMENDMENT**

Commissioner for Patents

**Mail Stop: Amendment**

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated November 21, 2008, please amend  
the above-identified patent application as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2  
of this paper.

**Remarks** begin on page 5 of this paper.